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NOTICE.
APPLICATION WILL BE MADE TO THE
next Legislature to attach a portion of New
ton County to Sampson County.

33-38*

WILMINGTON FEMALE INSTITUTE

CHARLOTTE, N. C.

13th ANNUAL SESSION OF THIS IN-
stitution commences the 30th of September,
and continues until 23rd June, 1871.

An accomplished corps of Teachers has been
employed in all branches usually taught in first
Female Seminaries. A circular containing full par-
ticulars to be sent on application.

REV. R. BURWELL & SON,
Charlotte, N. C.

REFFERENCES:

M. J. Williams, Esq., WILMINGTON, N. C.

Mr. Sprunt, Duplin county, N. C.

Henry Fallon, " "

P. W. Williams, Esq., " "

July 22

WASHINGTON COLLEGE, VIRGINIA,
N. E. LEE..... President.

HE next session will begin Sept. 15th and
end June 23d.

Expenses \$325 to \$375. For particulars apply
CLERK OF FACULTY,

Lexington, Va.

24-2m

STATE OF NORTH CAROLINA,
NEW HANOVER COUNTY.

In Probate Court, August 25th, 1870.

F. M. Murphy, Administrator
of William Keith, deceased.

Elizabeth Larkins, David Jones, Real Estate
and others, heirs at law of said

APPEARING TO THE SATISFACTION OF
the Court by the affidavit of the Plaintiff that

Defendants, Elizabeth Larkins and David
Jones, are the true and only heirs at law of the
estate of William Keith, deceased.

It is therefore ordered that publication be made in

WEEKLY JOURNAL, in the city of

Wilmington, for six weeks, certifying that

the above heirs are now in the possession of

the sum of \$325.00.

It is further ordered that the Plaintiff be granted

a decree for the amount of \$325.00.

It is further ordered that the Plaintiff be granted

an attorney's fee of \$10.00.

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THE WILMINGTON JOURNAL

WILMINGTON, N. C.
FRIDAY, SEPTEMBER 9, 1870.

BY TELEGRAPH.
FROM RALEIGH.

Judge Bond and Bergen.

RALEIGH, Sept. 5.
Judge Bond of the United States Circuit Court, has Kirk's Lieut. Col. Bergen before him to-morrow. Bergen is now in jail, by order of Judge Brooks.

Bergen has mustered out the white troops of Clarke's regiment, which is here to-day. The negro troops are retained, and it is said that many negroes are to be recruited.

Rural Carolinian for September.

This splendid number is a fitting close to the first volume of one of the ablest and best conducted agricultural periodicals which has ever appeared in this country. Opening with a valuable illustrated article on Heddle, which cannot be too often studied by the Southern farmer, it follows it up with contributions on "Farm Life in Brazil," "Sugar Farming," "Port Wine Country," "Winter Pastures," and other subjects of equal interest, all treated in a thoroughly practical and interesting manner. An illustrated article on Cabbage Insects is of especial value to our farmers' wives and our market gardeners.

In the Pomological Department the magazine has gained a great accession to its contributors in Mr. P. Berckmans, of Augusta, Ga., so well known throughout the South as a good authority on the subjects about which he writes. Col. Aiken again fills a number of pages, and no agricultural magazine can fail to be interesting that has the benefit of his facile pen, backed by his practical experience. We are sincerely glad that *The Rural Carolinian* has met with such marked success, because it shows that our people can appreciate what is really good, even if it does come from home.

The Western Railroad.

There is a Railroad, only some forty odd miles long, running from Fayetteville to Egypt, in Chatham county, which has been made to play its part in the great Radical scheme of the reconstruction of the State. This road has been engineered, for a year past, by A. J. Jones, he of the cotton speculation memory, but still more lately known as Radical Senator from Bladen and Columbus and, by the grace of Governor Holden, President of the Western Railroad. Notwithstanding the fact of Jones' speculations in the cotton transaction, that we have referred to, and his defection from political honesty, there were many people in Fayetteville sanguine enough to believe, when Holden's proxy voted him in as President, that the prospects of this Western Road would be revived and that some semblance of prosperity would follow upon his administration of affairs.

The result, after a year's fair trial, has proved how futile were all of their hopes, as the road appears to be, to-day, in a far worse condition than when "Hon." A. J. Jones first assumed the rôle of President. An attachment has lately been sued out against it for debt, and notwithstanding the fact that the amount returnable is but \$3,500, yet two engines and a long list of road furniture, amounting in all to some \$75,000, has been placed under execution.

It is true, though, that it may be that this matter will all be arranged and that the engines and cars will not be brought under the hammer, yet the fact that this attachment was issued, bears upon its face a very suspicious air. We agree with the Fayetteville *Eagle*, that it may be an effort on the part of some of the present managers to buy in a large part of the road property. They know that they will all go out of office at the next election and this move may result, therefore, in their buying up the articles under attachment, thus securing a lasting influence in its management. As our contemporary says: "The railroad men are making one long, strong grab, and a grab altogether now, before the re-formed Legislature can take hold."

We would like to see this Western Road in good hands, and in a fair way to fulfill its original destiny. That destiny is one, which, if accomplished, would influence very materially the fortunes of both Fayetteville and Wilmington, and it behoves the good people of both places to guard carefully its interests and its honor.

Mr. Stephens on the War.

The War Between the States—Its Causes, Character, Conduct and Results. By Hon. Alex. H. Stephens, National Publishing Company, Atlanta, Ga.

The high official position held by Mr. Stephens during the Confederate war, less than his distinguished ability and his large political experience, made it evidently proper that he should write a history of the great struggle which changed so entirely the social and political aspect of the Southern States, and produced a lasting impression upon the minds of the whole people. As Vice-President of the Confederacy, Mr. Stephens had an opportunity denied to nearly every other Southerner, of knowing the most secret details relating to the conduct of the war, while his acknowledged ability and breadth of thought enabled him, in justification of his people, to expound the causes of the war, both near and remote, and to place upon record the doctrines and sentiments which led the Southern States to seek security and redress by the act of secession. Both North and South were ready to give credence to his statements of fact, and to receive with respect his expressions of opinion. No wonder, then, that the success of the first volume of Mr. Stephens' work was extraordinary, its sale reaching sixty thousand copies.

In the first volume Mr. Stephens confined himself exclusively to an elucidation of the causes of the war; but in the second and concluding volume, now published, he narrates the story of the war, giving especial emphasis to the action of the Government of the Confederacy, or to what may be called its secret history. For the first time a full account of the earlier days of the Confederate Government, and particularly of the Provisional Govern-

ment at Montgomery, is given to the world. The vexed question of the exchange of prisoners has much new light shed upon it, and the narrative of the conference between President Lincoln and the Confederate Commissioners, at Hampton Roads, is the fullest and most valuable yet given to the public. Mr. Stephens was the principal negotiator on the Southern side, and his statement will be accepted without cavil or dispute.

The form of the work, as already pointed out, is awkward and clumsy, but this small blemish does not detract from its sterling value and great importance. Mr. Stephens writes calmly and temperately, without acrimony or partisan feeling. In the gravity of his tone he has been able to review the past in all its length and breadth, and the result is a work which adds the graphic charm of a romance to the judicial severity of history. This work upon "The War between the States" should be found in every Southern household, both as a record of the events of the most pregnant years of our history, and as an official statement, from the Southern stand-point, of the causes and reasons of Secession. The book is sold by subscription only, and agents are wanted in every county.

Governor Holden.

Holden dies hard. Like every other dying man, it is hard for him to realize that his last moment is so near at hand. Although his condition has been so long perfectly desperate; even though he feels the clammy clutch of the grim monster, he is astonished, and hopes still to prolong his wretched existence. In spite of the overwhelming rebuke administered to him in the late election; in spite of the check given him by Judge Brooks, Governor Holden persists in his purpose to overthrow the law and to usurp all power in North Carolina.

But Governor Holden was not alone in his villainy. Chief Justice Pearson, a willing tool and willing accomplice, played his part until, as has been stated, he was overcome by drunkenness upon the bench, when he retired to his home at Richmond Hill. Next came those precciosos, juvenile judicial neophytes, Messrs. Settle and Dick, who, to bolster up a perjured "State's witness," gravely assert that their "experience" as "Judges" had never known a witness under similar circumstances, to sustain himself better.

The value of this experience, and of the assertion based upon it, will be duly appreciated when it is remembered that these men were put upon the bench only two years ago by a single leap from the bar, and, further, that, before the Supreme Court, witnesses are never really examined. In view of these facts, if the occasion were not so serious, the assurance of their Honors would be refreshing.

But the Chief Justice retires from the stage and Messrs. Settle and Dick are left alone in their glory. Straightway the Governor makes another forward movement of such a character, that no man with a reputation for respectable knowledge of law, could openly sanction it. This step was neither more nor less than to obtain from the Justices of the Supreme Court an official declaration of the freedom of the Governor from all control or restraint, until the assembling of the next Legislature.

These two wise men came to time at once, and consulting their experience of two years "as Judges," gravely declare that "a warrant cannot issue against the Governor for any excess of authority a court of impeachment being the proper power for the abuse of Executive authority."

This would be doubtless a very convenient construction of the law for his Excellency, in case "any abuse of Executive authority" in an innocent citizen should be killed, as the Constitution provides that "the judgment in case of conviction or impeachment shall not extend beyond removal from, and disqualification to hold office in the State." This would be convenient, we say, because in such case Governor Holden would escape hanging—by the law at least.

But what of the situation now? France has lost, by an unparalleled series of calamities, nearly the whole of the regular army she had at the beginning of the war, and which did not exceed 275,000 effective men. This includes the army of Bazaine, which must capitulate, as well as the garrisons of Strasbourg and other places.

In the meantime, the Prussian armies must have lost by casualties and disease very near to 300,000 men. According to their estimates it would leave them still 80,000 ready to advance upon Paris, and other points of the French territory.

On their side the French claim to have 700,000 men under arms—all recently called out; it is true, but half of them old soldiers who have served out their term. There is no doubt that, if time enough is given, this force can be doubled or trebled, if necessary. Nor will they be found wanting in spirit, for the French, although defeated, have yet maintained their old reputation for gallantry. The honor of their arms is still untarnished; and, moreover, they are wrought up to the highest pitch of patriotism and even of desperation at the idea of seeing their country dismembered.

But, besides this, it is certain that a nation like the French, if united and really in earnest to accept no terms of peace as long as a foe treads their soil, can never be subjugated. All Germany cannot come to France, and France has seven millions of men between the ages of twenty and forty. If, therefore, the French people are determined to suffer every calamity—to fight on even if Paris shall fall—to yield to the Prussians no territory beyond the limits of their camps and the range of their guns, and to rise in their rear and all around them the moment they pass on, the ultimate result will be to wear out any invading force. The latter will be decimated by desertsions, starved out by precarious communications, restricted to the ground they occupy, until finally they will be compelled, from mere exhaustion, to give up their burdensome conquests.

When it is remembered that the course of Judge Bond on that occasion was violently radical, it will not be uncharitable to suppose that his recent elevation to the Bench of the Supreme Court of the United States was his reward for the services then rendered, and that his selection by Governor Holden for the work now to be done in North Carolina, is owing to his known experience in perverting the law and judicial position to partisan purposes.

But it is said to be the habit of good

Generals to hold their best troops in reserve. There are five Justices of the Supreme Court. Only three of them have thus far been utilized. What are Messrs. Beade and Rodman held in reserve for? We wait with great anxiety for the development. First we had Judge Pearson of the Supreme Court, then Judge Brooks of the U. S. Court, then Judges Dick and Settle of the Supreme Court, then Judge Bond of the U. S. Court, and next in order, it would seem, would be Judges Read and Rodman—a regular sandwich. Chief Justice Chase "holds the age" and will, we trust, play the winning hand. Meanwhile, we shall see what we shall see. The question now is whether Read and Rodman will "pass, go blind, or see it and go better." Our opinion is that they will

be two rings to be taken and three heads to be cut off. The distance to be run is one hundred and fifty yards, in fourteen seconds. These rules will be published as soon as completed and also issued in circulars for the benefit of the Knights.

THE GRAND TOURNAMENT.—The Committee in charge of the Grand Tournament met yesterday and got pretty well through with the rules for its government. We learn that the Knights will use the regulation cavalry sabre, and that there will be two rings to be taken and three heads to be cut off. The distance to be run is one hundred and fifty yards, in fourteen seconds. These rules will be published as soon as completed and also issued in circulars for the benefit of the Knights.

THE BURGLARY AT ROCKY POINT.—Joseph Peterson (colored), charged with complicity in the robbery of Dr. W. W. Lane, at Rocky Point, an account of which was published on Sunday, was examined before Justice Hines, and brought to this city yesterday and lodged in jail, to await his trial. The facts as developed upon the investigation, varied somewhat from our first information. It seems that this boy, who was in attendance on Dr. Lane, in his sick room, was associated in the robbery with another, who has escaped. Peterson first secured the money and the watch, but afterwards gave up everything, watch and chain, diamond pin and money, with the exception of \$2, with the understanding that the other was to sell them and divide with him the proceeds.

Peterson's associate is still at large.

DEATH OF A PROMINENT CITIZEN.—We regret to record the death of one of the leading citizens of this county, Captain John Jones, Senior. He died at his residence near Lillington, on Saturday last, of severe congestion and inflammation. The young son is Robert, Duke of Chartres, born on the 9th of November, 1840; both of them born in Paris. Their education was entrusted to M. Regnier, a distinguished member of the Institute. At an early age they made the tour of Europe and the East together. On their return the Count of Paris published an account of his travels in Asia Minor, under the title of *Damascus and the Lebanon*. In 1861 they came over to this country and served on the staff of the army of the Potomac, under Smith.

The ex-royal family of France have lived at Claremont, in England, since they took refuge in that country in 1848, and there both Louis Philippe and Marie Amelie died and were buried. There, on the 11th June, 1853, the Duke of Chartres married his cousin, Francois Marie Amelie, daughter of the Prince of Joinville; by her he has three children. And there, on the 30th May, 1861, the Count of Paris married his cousin, Maria Isabella, daughter of the Duke of Montpensier; by her he has two children, a son and a daughter.

"Fruit Culture in New Hanover county" assigned to Dr. W. W. Lane for an essay. "Agricultural Economy" signed to Mr. L. E. Porter. "Difficulties Connected with the Pursuit of Agriculture by an Unmarried Man" by Dr. D. M. Baile, Geo. E. Shepard and Dr. W. D. McMillan. "Advantages of a Knowledge of Agricultural Chemistry to the Farmer."

Dr. S. Satchwell, Maj. J. S. Hines and Dr. T. W. Lane, on "Fertilizing Influences of the Atmosphere on Crops and Vegetation."

Dr. E. Porter, L. W. Howard and A. L. Nixon—"Difficulties Connected with the Pursuit of Agriculture by an Unmarried Man."

James W. Baile, John D. Powe and Dr. G. C. McClenny, David J. Nixon and R. K. Bryan—"The necessity of legislative protection to agriculture and cattle raising in North Carolina."

S. J. Faison, Dr. H. F. Murphy and Rev. D. B. Black—"Has the introduction of commercial fertilizers benefited agriculture in New Hanover county?"

"Fruit Culture in New Hanover county" assigned to Dr. W. W. Lane for an essay.

"Agricultural Economy" signed to Mr. L. E. Porter for an address.

Dr. W. T. Bennett has been selected by the President of the Board of Education of New Hanover county to the position of Superintendent of Schools.

Gen. A. R. Black, President.

JAMES S. HINES, Secretary.

Conservative rejoicings at Point Caswell.

POINT CASWELL, N. C., Sept. 3, 1870.

Editors' Note:—According to appointment the Democrats and Conservatives of the adjoining townships met and participated in a glorious celebration of our recent victory.

Speeches were delivered by our talented and accomplished fellow citizens, Bruce Williams, Edwin W. Therr and G. F. Walker.

Mr. Williams first entertained the audience in a brief and eloquent address.—It being the first time he has appeared in public at this place, he has reason to be proud of the happy impression that he has made upon the minds and hearts of the people of this vicinity.

He is a great assembly of the victorious Conservatives of both colors.

After Mr. Williams, Mr. Kerr entertained us for about an hour in his usual happy and most effective style. Adding in his remarks, all that was necessary to make this day of rejoicing a complete success.

The meeting was also ably addressed by Mr. G. F. Walker.

The large crowd present partook of a bountiful basket dinner, spread under the trees.

And lastly we must not omit to mention the presence of many of redeemed North Carolina's fairest and loveliest daughters. Their grace and beauty supplying all that was wanting to make the happiness of the occasion complete.

Yours, P. Kerr.

One hundred emigrants burned to death.

A very sad occurrence is reported at Rio Janeiro—namely, the burning of an emigrant ship and the consequent loss of over one hundred passengers on board.

The details of the terrible catastrophe are given by the captain of the French ship Adele Louise, who succeeded in saving some of the persons from the ill-fated vessel—the Marlin Barravine—on its way from Genoa to Montevideo, with 128 passengers and twenty-five of a crew. It appears that on the 21st of July, about 9 p.m., being abreast of Rio de Janeiro, the Adele Louise sighted the Barravine in flames some distance astern, and at once went to her assistance. What followed is described in the *Telegraph Maritime*:

"The spectacle presented by the burning ship was extremely awful; the flames leaping out on all sides, the women shrieking frantically, some of them jumping overboard, others holding on by the chains and bow of the vessel, forming a scene of disaster and confusion that baffles description. One boat that was lowered was speedily filled with people crowding into her, and went down. It was almost impossible to render assistance, but the ship succeeded in taking off eight persons, including captain and mate. The governor of Rio, from London to Australia, also happened to pass, and rescued ten more, whom she transhipped to the Adele Louise. The remainder (one hundred and twenty-three in number) perished."

It seems that the ship had struck a rock, and the hull was severely damaged.

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THE VERY LATEST NEWS BY TELEGRAPH. WAR IN EUROPE.

THE CROWN PRINCE.

PARIS IN A STATE OF ANARCHY.
NAPOLEONIC DYNASTY TOPPLED.
GEN. TROCHU TO BE PROCLAIMED
DICTATOR.

THE PRINCE IMPERIAL A PRISONER.

EUGENIE JOINS THE EMPEROR IN
CAPTIVITY.

PARIS, Sept. 5.—Empress Eugenie having received assurances from the Prussian Government that she will not be treated as a prisoner, has consented to join her husband and son, who also surrendered with his father at Sedan. She will leave for Prussia as soon as her arrangements can be perfected.

General Trochu will at once be made temporary dictator, and Paris will be defended by the army.

It is now impossible to reach the Corps Legislatif, owing to the enormous crowd surrounding the building. It is reported that the vote on the "Decree" has been carried by voice 185 to 184, none voting. (Note—The word "Decree," above, evidently means the fortune or downfall of the dynasty.)

The people are wild with excitement, and are rushing through the streets bearing placards with the vote of the Corps Legislatif inscribed thereon. Shouts of "Vive Republic!" are heard on all sides. Beggars passing into the city are received by the populace with denouncing shout of "Vive la Ligue," "Vive Republic."

The National Guard reversed its arms as regular troops, and a scene of anarchy. Troops are singing "Mourir Pour Patrie." The scene is one of indecent excitement. Rumors of all kinds are in circulation, and it is impossible to ascertain their foundation, and that one sentiment seems to be paramount—"resistance to invasion."

All the Nation now to rescue, shout the people, and the troops join enthusiastically.

The Guard national army must be preserved. The people evilest but little desire to create trouble. All seem overjoyed at the vote of Decree.

LATER.

Crowds are beginning to tear down the Imperial arms from the fronts of shops. There are fears that this may lead to serious trouble, as the National Guards are not inclined to permit these disorders.

BRUSSELS, Sept. 3.—The Prussians have demanded the surrender of Montmédy, but the garrison has refused.

CARLSCHEID, Sept. 3.—The collars of Strasbourg are flooded by the rise of the Rhine and there is great suffering and destruction of property.

The Cathedral has certainly been partially destroyed.

BERLIN, Sept. 5.—Congratulatory telegrams from all parts of the world continue to pour in. Nearly all of these protest against a foreign interference with the German adjustment of peace.

It is reported that McMahon is dead.

STUTTGART, Sept. 5.—A crowded meeting adopted a resolution that Germany refuses mediation or intervention of the powers; also incorporating Alsace and Lorraine as a portion of Germany and compensating for the expenses of the war; also, that Germany must now be one nation, with one army and one Parliament. That these are the only securities of the permanent peace of Germany and Europe.

MADRID, Sept. 5.—The Gaceta contains the municipal code for Rioja, and announces scattering fights with the Carlists, who fight as they do from the country. The peninsula is otherwise quiet.

SR. PETERSBURG, Sept. 5.—Gen. Fleury, Minister from France here, has resigned, and has instantly left the country.

NEW YORK, Sept. 7.—London Special to the Herald.—The journey of the Imperial Prince was strictly private, his governor prohibiting conversation on account of his health. Grammont is here; he escaped via Havre. He converses freely, and says that the revolutionary Government cannot last. All recent tests, he says, prove that its members have not the confidence of the people. The men now in power are those whose efforts heretofore have been directed to embarrass the real Government, and to assure the failure of the war. Republican agents are constantly endeavoring to shake the confidence and destroy the discipline of the army. He attributes the loss of several battles to this cause, and does not see how foreign governments can recognize the republic. To-morrow another batch might get up and declare themselves the Provisional Government, and involve the city in bloodshed. He considers such a result more than probable that if arms are placed in the hands of the lower classes, on the first news of a reversal on the approach of the Prussians before the city, might be the signal for the overthrow of the present self-constituted Ministry, and the creation of another. Grammont confides in Trochu, but apprehends that he will not be permitted to have his own way. He believes that France will prove fairly able to vindicate her honor and expel the Prussians from her territory. He declines to express an opinion on the future fate of the Emperor or his dynasty.

GRAMONT had a long interview with Gladstone and Granville. The instructions to Lord Lyons, the English Minister to Paris, are to effect to recognize the actual authorities, but as far as possible a formal recognition.

ANOTHER CANING.—A friend sends a cane of his manufacture, to Mr. Turner. His description of it will be interesting.

NEAR RALEIGH, Sept. 2, 1870.—Hon. Josiah Turner, Jr.

Dear Sir: Please accept, as a token of my highest respects, a small walking cane, wrought by my own hands. It is made of the root of a beautiful tree. It is said by the best observers that this root will neither rot nor decay. You may expose it to the pelting rains, the hot rays of the sun or if you please, you may shut it up in a close dungeon where it cannot receive pure water or salubrious air, and it is the same sound and bright looking stick. The tree from which it was taken is beautiful, and when the rotten limbs are dissevered, it looks magnificent; it produces an excellent fruit after those rotten limbs are cut off, which is very delicious and nutritious. The timber from this tree is also valuable. When wrought by the proper workmen, (an ax for instance) it will bear the heaviest burthen and yet it will not break. The leaves of this tree are also very valuable when manufactured by skilful workmen; it makes a beautiful silken cord to bind up the wounds of the people, and lastly, the elasticity of this little cane is remarkable. You may bend it till its two ends meet, but as soon as it is turned loose, it will spring back with astonishing elasticity to its former position.

Your obedient servant,
Jos. BRIDGES.

PARIS, Sept. 4.—Trochu is answering the crowd. He said he had taken an oath "To what intent we are not informed—Ed J. and as an honest man he could not break it. The Chamber must answer the people at midnight. Crowds assembled before the Corps Legislatif building and shouted that the Emperor having fallen into the hands of the enemy, it is now time for the people to rise and chase out the invaders. The Corps, however, adjourned until to-day, assurances having been given that the day should not pass without some determination worthy of France.

Later in the evening a large crowd assembled on the Boulevard Bonne Neuve, parading and shouting "Decree," and "Vive la France." They were charged by the police, who used firearms. It is reported that some of the citizens were mortally wounded.

At an early hour this morning great crowds were in the streets. The journals are sought with extreme avidity. The popular agitation is very great, and the feeling against the invaders singularly unanimous.

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PARIS, Sept. 5.—6 P.M.—The crowds continue to tear down the signs containing the Imperial arms and medals.

The highest stories are climbed to tear the word "Imperial" from the theatres.

The police are no longer seen on the streets.

BRUSSELS, Sept. 5.—It is stated that Leige has been selected as the Emperor's place of detention.

Several of Eugenie's maids of honor have arrived here.

LONDON, Sept. 5.—A.M.—The members of the Provisional Government established at Paris are Trochu, Simon, Gambetta, Peletier, Favre, Ferry, Kersey, Cremer, Liard and Grey.

(Despatches.)

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Chief Justice Pearson.

One of the most painful of our duties as public journalists has been the necessity from time to time has been laid upon us to speak in condemnation of the conduct of the members of the judiciary of our State. The judicial ermine is of such sensitive purity, such exceeding whiteness, that it can be affected by even the slightest touch. Appreciating this and the consequent importance of dissection of speech and act in regard to the Law and its Judges, we are always slow to criticize them. There are times, however, when it becomes necessary to talk plainly, and such, we think, is the present time.

Chief Justice Pearson has, by his course during the recent *Habeas Corpus* proceedings, destroyed a reputation for judicial probity which he had enjoyed since his accession to the bench. It is painful to see one who has enjoyed the confidence and respect of a whole people in his old age carried away by eagerness for office or partisan feelings, as to destroy in a few short weeks the honorable fruits of an honored life time.

Judge Pearson, under the pretence that the enforcement of the law would produce civil war, left prisoners, innocent of any crime in the eye of the law, to rot in vile dungeons, under threat of trial by illegal drum-head courts martial and at the mercy of the usurper and tyrant Holden and his minions, the blood-thirsty Kirk and the traitor Bergen. Knowing all these things, Chief Justice Pearson declares the power of the civil law to be exhausted, adjourns his Court and retires to the comfort and luxuries of his home, the cool shades and sparkling springs of Richmond Hill, to contemplate at his ease, doubtless, the sufferings of the poor prisoners sweltering in their dungeons in the summer's heat-prisoners, whom he, the sworn officer of the law, had abandoned to their fate.

We earnestly hope that the day may never come again when the right of government shall not rest with our people. The great excellence, the notable perfection of our representative democratic form of government is illustrated in the capacity of the people to change their form of government and to select the men to execute it. One short month ago the Chief Magistrate of the State, in palpable violation of his oath of office, aided and abetted by the Chief Justice, who hushed to guilty silence the voice of the law, had seized the purse and was ruling in the State by the power of the sword alone—in a word, had usurped openly every power of government. Every man in the State was at the mercy of the Governor. Our best men were arrested and thrown into dungeons without any authority, executive, judicial or military, or any pretence of any. The simple order of W. W. Holden was sufficient to deprive the foremost man in North Carolina of life, liberty or property. No monarch, living or dead, ever wielded more absolute, uncontrolled, unlimited power, or in a more arbitrary, despotic manner, than did W. W. Holden.

No usurpers, living or dead, ever more completely destroyed every vestige of the Constitution and Government they had solemnly sworn to support, or more wantonly disregarded and overthrown the authority thereof, than did Governor Holden and Chief Justice Pearson. More galling chains than those which bound, hand and foot, the people of North Carolina, were never before imposed by tyrants upon their subjects. Never were a people before reduced to such perfect and helpless vassalage. Escape from this state of things, by force of arms, was simply impossible.

The whole power, or rather the whole military and executive power of the United States, was arrayed on the side of the usurpers. With such odds against us, even if our people had been armed and organized for resistance, it would have been folly to attempt it. Our only hope, then, was in the ballot-box; if that failed us, the future bade us take counsel only of despair, to us it seemed.

Well might Richmond Montford Pearson exclaim of praise and songs of triumph as he remembered that he was Chief Justice of North Carolina and surrounded by that money could procure to make life pleasant, and John Kerr, of Caswell, of the court without fear and without reproach,

the dauntless patriot, the eloquent advocate, the learned lawyer, the incorruptible jurist, was lying in a foul dungeon, placed there by the Chief Magistrate who had sworn to see the laws executed,

thereby himself, Richmond Montford Pearson, Chief Justice of North Carolina, who had sworn to perform "all the duties of his office agreeable to the Constitution and laws of the State, so far him God," and who yet refused to issue

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